

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**TRITON IP, LLC,**

**v.**

**SAGE GROUP, PLC, et al.**

**6:07-cv-00067-LED**

**JURY**

**PLAINTIFF'S ANSWER TO COUNTERCLAIMS OF SAGE SOFTWARE**

Plaintiff Triton IP, LLC ("Triton") answers the counterclaims of Defendant Sage Software, Inc. ("Sage") as follows:

1. Paragraph 1 of Sage's counterclaim purports that it "incorporates the foregoing averments as if fully set forth herein." Such an allegation is improper. To the extent that such an allegation requires a response, Plaintiff denies the merits of Sage's defenses and affirmative defenses. Plaintiff denies the remaining allegations, if any, set forth in this paragraph.

2. Plaintiff admits that it contends the '525 patent is valid and infringed by Sage. Plaintiff admits that Sage purports to deny such allegations. Plaintiff admits that Sage's answer purports to contend that Sage does not infringe the '525 patent, and that said patent is invalid. Plaintiff admits that a justiciable controversy exists between Sage and Plaintiff. Plaintiff denies the remaining allegations, if any, set forth in this paragraph.

3. To the extent paragraph 3 requires a response, Plaintiff admits that Sage purports to seek a declaration of non-infringement and invalidity. Plaintiff denies the remaining allegations, if any, set forth in this paragraph.

4. To the extent paragraph 4 requires a response, Plaintiff admits that a justiciable controversy exists regarding Sage's obligations relative to the '525 patent. Plaintiff denies the remaining allegations, if any, set forth in this paragraph.

5. To the extent paragraph 5 requires a response, Plaintiff admits that Sage's purported counterclaims arise under the Patent Act, and Plaintiff admits this Court's jurisdiction over Plaintiff's claim and any properly pled counterclaims. Plaintiff denies the remaining allegations, if any, set forth in this paragraph.

6. To the extent that Sage's Prayer for Relief requires a response, Plaintiff denies that Sage is entitled to any of the relief requested.

Date: May 14, 2007

Respectfully submitted,

TRITON IP, LLC

/s/ John J. Edmonds

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**Counsel for Plaintiff  
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On this date a copy of the foregoing is being filed electronically and thus served upon all counsel of record pursuant to Local Rule CV-5.

Date: May 14, 2007

/s/ John J. Edmonds

John J. Edmonds